

REMARKS**Response to Claim Objections**

Claim 49 was objected to by the Examiner because of the following informalities:

In line 3, "the tubular stent body section" should be "the tubular stent body".

In response applicants have amended claim 49 to delete "section" as suggested by the Examiner.

Response to Claim Rejections Under 35 U.S.C. §102

Claims 16, 22, 48, and 50 are rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Kleshinski (U.S. Pat. No. 5,755,778).

Applicants have carefully reviewed the '778 patent with respect to the rejected claims, particularly with respect to the claims as amended above, and have concluded that the structure described in the '778 patent would not meet the requirements of the present claims. The structure disclosed in the '778 patent consists of longitudinal oriented, hexagonal cells (78) which are secured together along their long edges. To the extent there are ring segments, they are closed end ring segments which do not meet the open end ring segments called for in claim 16. That being the case, the '778 reference relied upon by the Examiner fails to teach the invention as claimed, contrary to the Examiner's assertions.

Response to Claim Rejections Under 35 U.S.C. §103

Claims 18, 19, and 21 are rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Kleshinski (U.S. Pat. No. 5,755,778) in view of Khosravi et al. (U.S. Pat. No. 5,824,054).

Claim 18 requires the stent cover to have one longitudinally oriented edge abutting another longitudinally oriented edge. None of the references cited by the Examiner suggest this cover construction. Importantly, the cited references fail to meet the requirements of the independent claims (claim 16) from which claim 18 depend. One of the advantages of the abutting edge relationship is a reduced profile which allows the covered stent to reach difficult locations.

Claim 19 on the other hand requires the longitudinal edges of the stent cover to overlap. However, the stent of claim 19 is formed of a plurality of ring sections which are perpendicular to the longitudinal axis of the stent assembly. The stent of the Khosravi reference has a coiled structure with overlapped edges (see Figure 12) along with the stent cover and to this extent does not meet the claim requirements.

Similar arguments may be presented with respect to the rejection of claim 21.

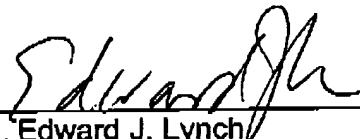
Response to Allowable Subject Matter

Applicants note with appreciation of the Examiner's indication that Claims 20 and 49 were directed to patentable subject matter. Applicants have incorporated the features of claim 1 into claim 18 as suggested by the Examiner and have amended claim 49 to more particularly claim the amended claim 18 to a longitudinal axis.

Conclusions

The applicant believes that the pending claims define patentable subject matter.
Reconsideration and an early allowance of these claims are earnestly solicited.

Respectfully submitted,

By: 
Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Ste. 2000
San Francisco, CA 94105
Telephone: (415) 371-2200
Facsimile: (415) 371-2201
Direct Dial: (415) 371-2267